REMARKS

Claim 1 was rejected under 35 U.S.C. 102(e) as being anticipated by Lebda et al., United States Patent No. 6,385,594 ("Lebda"). Applicants respectfully traverse the rejection on the following grounds.

As an initial matter, claim 1 relates to a method to facilitate "information exchange between a broker and a set of wholesale lenders." Although Applicant's invention may be broad enough to include individual borrowers dealing with retail lenders, presently pending claim 1 is directed to a "broker" and "wholesale lenders." By contrast, Lebda relates to a retail lender system in which the lender interfaces directly with the borrower, to the exclusion of a broker (see, e.g., column 1, lines 34-44; column 2, line 65 through column 3, line 8; and column 4, lines 1-7). Lebda fails to teach or suggest a "broker."

Claim 1 also requires "displaying to the broker a set of one or more generic mortgage lender profiles." Examiner has asserted that Figure 7 of Lebda discloses this element. For the sake of argument (although without agreeing to this point), Applicants will assume herein that the borrower of Lebda satisfies the claim element of a broker. Lebda nonetheless fails to teach the recited claim element, however. Lebda describes Figure 7 at column 4, line 42 – column 5, line 8:

> FIGS. 6, 7, and 8 show stage 6 of the process, wherein computer 100 runs a filter to match completed application 115 in table 150 against preset criteria established by each lender. As shown in FIG. 6, lender criteria are stored in tables 175 in lender database 170 on computer 100. Wherein in FIG. 7 lender database 170 includes a listing of tables 175 for several lending institutions. The process for matching borrower's application in tables 150 to lender criteria in tables 175 is shown in FIG. 8. For example, in step 35, program 10 starts the filter process. Next, in step 36, the filter process initiates and moves to the appropriate type application 115 in tables 150. Next, in step 37 the filter moves to a first lending institution in table 175. In step 38, program 10 instructs computer 100 to read all of the lending institution's criteria for extending credit. In step 39, program 10 reads whether there are any criteria present in tables 175. If the requested data is not present, next, in step 45 the filter checks to see if there is any database connection that is broken and whether the database information in the message. If the criteria are present, step 40 instructs computer 100 to see whether any remaining criteria to match to application 115 stored on tables 150.

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> If there are more criteria to match to application 115, then in step 47, program 10 checks to see whether that remaining criteria matches with application 115. If the criteria matches with application 115 then in step 58, program 10 advances to the next available criteria in tables 175. As shown in FIG. 6, step 58 creates a loop back to step 40. If the criteria does not match with application 115, then in step 48, program 10 checks to see whether there is another lending institution in database 170. If there are no remaining lending institutions in database 170 then in step 59, computer 100 generates a message that no acceptable match has been found. After this message, in step 51, the filter process ends.

Nowhere does Lebda teach or suggest that the tables 175 would be displayed to a broker, or for that matter to the "borrower-Internet user" of Lebda.

Claim 1 further requires "responsive to selection by the broker of one of the specific wholesale lenders, exposing to the broker a specific mortgage lender profile." Applicants have carefully reviewed the portions of Lebda that Examiner has asserted teach this claim limitation (Abstract, Figure 12, and column 5, lines 26-33). In response, Applicants respectfully traverse the rejection. Lebda clearly teaches that the broker (again assuming Lebda teaches a broker, which it does not) does not select a specific wholesale lender. Rather, the selection process "is based upon either random selection or a predetermined set of criteria stored in computer 100" (column 5, lines 32-34, emphasis added).

It would not be obvious to modify Lebda to obtain Applicants' claimed invention. First, as explained above, currently pending claim 1 is directed to an interface between a broker and wholesale lenders. Lebda, by contrast, is directed to a borrower-user interfacing directly with lenders. Second, and partially because Lebda does not contemplate a broker, there is no motivation to modify Lebda to expose the user to generic mortgage lender profiles. This is because the lender selection process occurs on a remote computer (per column 3, lines 54-61). Additionally, there is no motivation to replace the random or pre-determined criteria selection process of Lebda with the broker selection process of claim 1. Again, this is partly because Lebda does not contemplate a broker and also because Lebda teaches that the filtering and selection

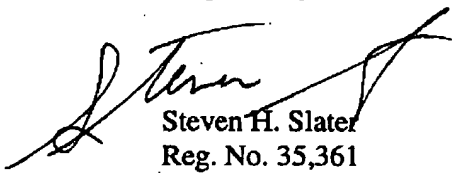
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process is done "remotely" from the user. In essence, Lebda teaches away from lender selection by a broker.

Claims 2-6 are also novel over Lebda for the reasons provided above with respect to claim 1 from which they respectively depend, as well as for their further defining recitations.

Applicants respectfully request that the rejection of claims 1-6 be withdrawn and that the present case be passed to allowance as soon as possible. Examiner is invited to contact the undersigned with any questions or concerns remaining after consideration of the above remarks.

Respectfully submitted,



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